

**U.S. Census Bureau**

*the Official Statistics*



**INTERNATIONAL TRADE  
STATISTICS** *YOUR KEY TO TRADE*

U. S. C E N S U S B U R E A U

**Foreign Trade Statistics Regulations  
15 CFR Part 30**

**Exporter/Forwarding Agent Responsibilities  
Provisions for Power of Attorney/Mail Shipments & Software  
Transmission**

**FOREIGN TRADE DIVISION  
U.S. DEPARTMENT OF COMMERCE**

## **TRADE'S RESPONSES TO THE PROPOSED RULE**



- **Specify SED/AES record is for statistical purposes**
- **Clarify Forwarding Agent responsibilities in a routed transaction**
- **Clarify Exporter liability concerns in a routed transaction**
- **Add manufacturer/seller box/field to SED/AES**
- **Confidentiality of Exporter's EIN**
- **Implication on consolidated/containerized shipments**
- **Clarify conformity of documents provisions**

## U.S PRINCIPAL RESPONSIBILITIES

### Routed Export Transaction



- Provide basic commodity information to the Forwarding Agent for completing the SED, including exporter name, EIN, and Schedule B number.
- Maintain documentation to support the information reported on the SED.
- [Note: In a routed export transaction the U.S. principal party in interest is not required to provide the forwarding agent with a power of attorney for preparing the SED].

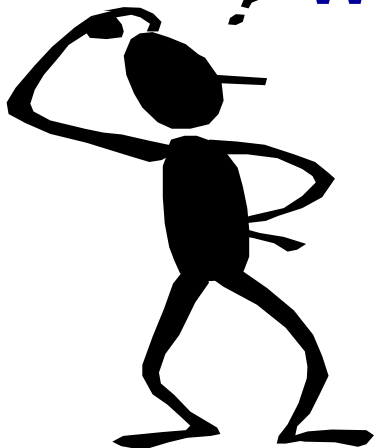
## **FORWARDING AGENT RESPONSIBILITIES**

### **Routed Export Transaction**

- Prepare, sign, and file the SED based on information obtained from the U.S. principal and/or other parties involved in the transaction.
- Obtain a power of attorney or written authorization from the foreign principal party in interest to act on their behalf in the transaction.
- Maintain documentation to support information reported on the SED.
- Upon request, provide U.S. principal party in interest with documentation verifying that the information provided by the U.S. principal was accurately reported on the SED/AES record.



## ? WHO GOES IN BOX 1(A) ON THE SED



The U.S. Principal Party in Interest - The person in the U.S. that receives the primary benefit, monetary or otherwise, of the export transaction.

### GENERALLY THAT PERSON CAN BE THE:

- U.S. **Seller** (wholesaler/retailer/vendor) of the merchandise for export.
- U.S. **Manufacturer** (if selling merchandise directly for export)
- U.S. **Order Party** (U.S. party who negotiated with the foreign principal and received the order for the merchandise);
- A **Foreign person/entity** (operates from within the U.S. to facilitate the export and signs the SED).

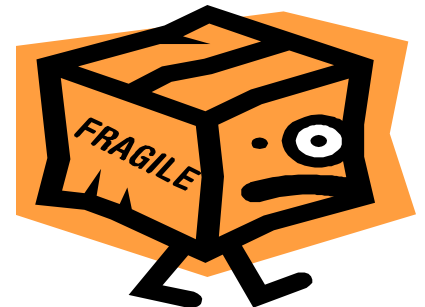
## EXPORTER'S EMPLOYER IDENTIFICATION NUMBER

- Section 30.91 prohibits disclosure
- Forwarding agent prohibited from releasing copies of the SED/AES record for unofficial purposes
- Reporting requirement on SED/AES
- Appears on numerous business/financial documents



## CONSOLIDATED/CONTAINERIZED EXPORTS

- Shipment is merchandise shipped from one exporter to one consignee, on the same flight/vessel, to the same country on the same day.
- Current regulations require a separate SED/AES record for each shipment in the container
- You cannot list the consolidator/forwarding agent as the exporter on the SED/AES record.

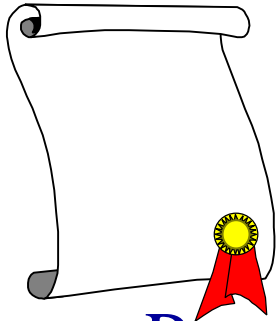




## **FTSR/EAR CONFORMITY**

- EAR specifies conformity of documents and how they differ from the FTSR with respect to identification the exporter.
- **NO** uniform and consistent conformity of documentation for all export documents due to requirements of different government agencies.





## **ADDITIONAL AMENDMENTS**

- Provisions on electronic transmission and intangible transfers of software and technology
- Provisions on mail shipments and certain related SED exemptions
- Clarification for providing import verification information to the Census Bureau.

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# ***For Additional Information***

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